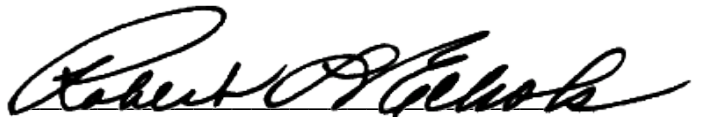


or laws of the United States. Parratt v. Taylor, 101 S.Ct. 1908 (1981).

In this case, the plaintiff does not allege that he was arrested without probable cause. Nor does he claim that statements were improperly taken from him in violation of his Miranda rights. The plaintiff simply states his dissatisfaction with the way the defendants conducted their investigation of a rape case. At best, then, the plaintiff is alleging that the defendants were negligent in the way they conducted the investigation. Negligent conduct, however, is not actionable under § 1983 because it does not rise to the level of a constitutional deprivation. Daniels v. Williams, 106 S.Ct. 662, 666 (1986).

In the absence of a constitutional violation, the plaintiff has failed to state a claim upon which relief can be granted. Under such circumstances, the Court is obliged to dismiss the complaint *sua sponte*. 28 U.S.C. § 1915(e)(2).

Accordingly, an appropriate Order will be entered dismissing this action.


Robert L. Echols
United States District Judge